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BACON & THOMAS, PLLC
625 SLATERS LANE
FOURTH FLOOR
ALEXANDRIA, VA 22314

EXAMINER
SANTOS, PATRICK J D

ART UNIT	PAPER NUMBER
2161	

DATE MAILED: 01/26/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

PTO 90C (Rev 10/03)

-- Th MAILING DATE of this communication appears on th cover she t with th correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>02 July 2004</u>.

2a)☐ This action is **FINAL**.   2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-9</u> is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-9</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage
application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application (PTO-152)
6)☐ Other: _____.

Art Unit: 2161

DETAILED ACTION

Claim Rejections - 35 USC § 112

1.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

2.   Claims 1-9 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 1 contains the following indefinite language:

-   "when one of the clients updates data of the database at the server, enabling the client to read the reference table" (Amendment: Claim 1, p. 2, lns. 9-10). As currently written, the language is not clear as to if the client accessing the reference table refers to the updating client, or one of the other clients.

-   "transmitting updated data at one client to the other clients" (Amendment: Claim 1, p. 2, ln. 12). As currently written, the language is not clear as to if the method calls for the server, the updating client, or one of the other clients to do the actual transmitting.

These two clauses prevent a member of the public from determining the metes and bounds of the pending claims, and thus Claim 1 and all dependent claims are rejected as indefinite under 35 U.S.C. 112, second paragraph.

Claim Rejections - 35 USC § 103

3.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

4.   Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable over U.S. Patent

No. 6,389,423 issued to Sakakura (hereafter Sakakura '423) in view of U.S. Patent No.

5,913,029 issued to Shostak (hereafter Shostak '029).

Claim 1:

Regarding Claim 1, Sakakura '423 discloses a method for synchronously updating screen

data of a database application program at a plurality of clients (Sakakura '423: Abstract), the

method comprising:

- installing a reference table at a server of a network system (Sakakura '423: col. 8, ln. 33;

  col. 8, lns. 43-50 – Note: the update log reads on a reference table);

- recording filenames of databases in a database system opened by the clients over the

  network system in the reference table (Sakakura '423: col. 8, lns. 43-50 – note that a data

  store name reads on a filename of a database); and

- when one of the clients updates data of the database at the server, enabling the client to

  read the reference table for identifying the storage locations opened by the other clients

  (Sakakura '423: col. 9, lns. 45-51)

- transmitting updated data at one client to the other clients (Sakakura '423: col. 9, lns. 51-64);

- updating data of the database application program at each of the other clients (Sakakura '423: col. 9, lns. 51-64)).

However, Sakakura '423 does not explicitly disclose:

- the server is a network system server; or

- that the data updating is of corresponding fields on a screen of the database application program at each of the other clients.

Shostak '029 discloses a means to store synchronization information in a network server. Specifically, Shostak '029 discloses:

- the server is a network system server (Shostak '029: col. 7, lns. 6-13); and

- that the data updating is of corresponding fields on a screen of the database application program at each of the other clients (Shostak '029: col. 8, ln. 55 to col. 9, ln. 1).

It would have been obvious to a person having ordinary skill in the art to apply the server based menas of Shostak '029 to the synchronous update of Sakakura '423. The motivation to combine is suggested by Shostak '029 which discloses that applying the server based means of Shostak '029 to a distributed system such as that as Sakakura '423 provides a particularly optimal means to execute updates (col. 3, lns. 5-15; col. 3, ln. 65 to col. 4, ln. 12).

Claims 2 and 4-6:

Regarding Claims 2 and 4-6, Sakakura '423 and Shostak '029 in combination disclose all the limitations of Claim 1 (supra). Further note that Shostak '029 discloses:

- (Claim 2) the network system comprises at least one server and a plurality of clients coupled to the server, and each client and the server are capable of communicating data by utilizing a network communication protocol implemented on the network application program installed in the network system (Shostak '029: col. 6, lns. 29-43).

- (Claim 4) the database system comprises at least one database for storing a variety of records each having a unique filename of the database (Sakakura '423: col. 8, ln. 33; col. 8, lns. 43-50 – Note: the update log stores a data store name which reads on a filename; Shostak '029: col. 7, lns. 61-63; col. 8, lns. 7-21 – Note: the data array).

- (Claim 5) the database application program installed in each client is capable of entering the database system, so that the screen of the database application program at each client is available for a user to enter the database system at the server and to input data into the record of the database or search data stored in the records of the database (Sakakura '423: col. 8, lns. 40-45; Shostak '029: col. 7, lns. 15-18).

- (Claim 6) each client is capable of entering the database system at the server by executing the installed database application program and the database application program of the database system downloaded from the server (Sakakura '423: col. 8, lns. 40-45).

Claim 3:

Regarding Claim 3, Sakakura '423 and Shostak '029 in combination disclose all the limitations of Claim 2 (supra). Further note that Shostak '029 discloses the network communication protocol is a Transport Control Protocol/Internet Protocol communication protocol (Sakakura '423: col. 1, lns. 41-43).

5.   Claims 7-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Sakakura '423

and Shostak '029 upon further consideration of Sakakura '423.

<u>Claim 7:</u>

Regarding Claim 7, Sakakura '423 and Shostak '029 in combination disclose all the

limitations of Claim 1 (supra). Furthermore, Sakakura '423 and Shostak '029 in combination

disclose: the reference table comprises a plurality of fields including the filename of the database

opened by the database application program of each client coupled to the server. However,

Sakakura '423 and Shostak '029 in combination do not explicitly disclose the storing of an IP

address and a communication port number.

Upon further consideration of Sakakura '423, which explicitly uses TCP/IP, (Sakakura

'423: col. 1, lns. 41-43) it would have been obvious to modify the reference table of Sakakura

'423 and Shostak '029 in combination to include the IP address and a communication port

number since in order to completely specify the location of a file on a TCP/IP network, the IP

address and communication port must be provided.

<u>Claim 8:</u>

Regarding Claim 7, Sakakura '423 and Shostak '029 in combination disclose all the

limitations of Claim 7 (supra). Further note that Sakakura '423 and Shostak '029 in combination

disclose that when each client enters the database system at the server for inputting or searching

data, the server performs the steps of:

-    detecting and reading the IP addresses, the communication port number, and the

     filenames of the open databases of the database system at each client (Shostak '029: col.

     10, ln. 57 to col. 11, ln. 7 – See Note below);

-   sequentially writing the same into the corresponding fields of the reference table (Shostak

    '029: col. 10, ln. 57 to col. 11, ln. 7 – See Note below);

-   determining whether an updating is performed on the records of the database

    corresponding to the filename of the database being opened after each client has entered

    the server (Sakakura '423: col. 9, lns. 45-65); and

-   if a result in the determination is positive, transmitting contents of the reference table to

    the clients after the updating (Sakakura '423: col. 9, lns. 45-65).

Note: The data array of Shostak '423 requires that the creation of a new session generates an

entry of session state in the data array (Shostak '423: col. 10, ln. 57 to col. 11, ln. 7). As

combined with Sakakura '423, the memory location of Shostak '423 (Shostak '423: col. 11, lns.

1-2) is substituted with the data store location of Sakakura '423 (Sakakura '423: col. 8, lns. 43-

50). As per the discussion in Claim 7 above, to fully specify the data store location, an IP

address and communication port number must be stored as well.

Claim 9:

Regarding Claim 9, Sakakura '423 and Shostak '029 in combination disclose all the

limitations of Claim 8 (supra). Further note that Sakakura '423 and Shostak '029 in combination

disclose that after the reference table transmitted from the server has been received therein, the

client performs the steps of:

-   reading contents of the fields of the reference table for identifying the filenames of the

    databases opened by the other clients (Sakakura '423: col. 9, lns. 45-51; col. 8, lns. 43-50

    – note that a data store name reads on a filename of a database); and

- transmitting updated data to the other clients for updating data of the related fields on the

    screen of the database application program at each of the other clients (Sakakura '423:

    col. 9, lns. 51-64).

Response to Arguments

7.   Applicant's arguments with respect to Claims 1-9 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

8.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Patrick J.D. Santos whose telephone number is 571-272-4028.

The examiner can normally be reached on M-F 8:00-4:30.

      If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Safet Metjahic can be reached on 571-272-4023. The fax phone number for the

organization where this application or proceeding is assigned is 703-872-9306.

      Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

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system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Patrick J.D. Santos
January 21, 2005

WAYNE AMSBURY
PRIMARY PATENT EXAMINER